IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

TUESDAY, THE TWENTY FIRST DAY OF SEPTEMBER,

TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE S.ANANDA REDDY

WRIT PETITION NO : 4552 of 1997

Between:

Katkuri Sreeram Reddy, S/o. K.Tirupati Reddy,
R/o. 12-13-683, Street No.20, Tarnaka,
Secunderabad.

..... PETITIONER

AND

1 The Registrar,
Osmania University, Hyderabad.
2 The Assistant Registrar (Administration),
Osmania University, Hyderabad.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a Writ order or direction more Particularly one in the nature or Writ of Mandamus directing the Respondent herein to regularise the service of the Petitioner herein from the date of his initial appointment with all incidental and Consequential benefits by declaring the action of the Respondent University in not regularising the Services of the Petitioner even though he has been working in the Substantial Vacancy.

Counsel for the Petitioner: MR.A.SATYA PRASAD

Counsel for the Respondents: MR.DEEPAK BHATTACHARJEE, S.C. FOR OSMANIA UNIVERSITY

The Court made the following ORDER:

This writ petition is filed by the petitioner seeking to issue Writ of M*andamus* directing the respondents to regularize his services from the date of his initial appointment with all consequential benefits.

According to the petitioner, he passed M.Sc (Mathematics) in the year 1987 and did Ph.D in Mathematics in the year 1992. Thereafter, he was appointed as a part-time Lecturer in Mathematics in the University College for Women, Hyderabad, *vide* proceedings dated 16-12-1992. While so, the Government passed G.O.Ms.No.221, dated 20-06-1995, for regularization of the services of the part-time Lecturers working in the Government Degree/Junior Colleges. According to the petitioner, the said G.O. is equally applicable to his case also, since he is working as a part-time lecturer in the respondent-University. Therefore, he has filed the present writ petition.

At the time of hearing, it is represented by the learned counsel for the petitioner that in similar circumstances, some other persons, who were working in the University Colleges, had filed a batch of writ petitions before this Court. As they have not succeeded before the learned Single Judge as well as before the Division Bench, they carried the matter in appeal before the Apex Court and the Apex Court had set aside the orders of this Court and remanded the matters for fresh consideration. Thereupon, the matters were taken up by a Division Bench of this Court. At that stage, the University has conceded to the demand of the appellants therein and thereafter, a consent order was passed by the Division Bench in Writ Appeals Nos. 764 of 1999 and batch, in which, the University as well as the Government were

directed to consider the case of the appellants therein by allowing them to undergo selection process, within a period of four months, by granting necessary relaxation as to the age, and as per the selection, they should be regularized and appointed. Therefore, the petitioner sought for a similar treatment as was provided to the appellants in the batch of Writ Appeals.

The learned Standing Counsel for the respondent-University, however, opposed the said contention of the petitioner and contended that the order that was passed by the Division Bench in W.A.No.764 of 1999 and batch would not be applicable to the case of the petitioner, as the said order was a consent order. Learned Standing Counsel also relied upon another Division Bench judgment of this Court in W.P.No.6469 of 2001 and batch, dated 21-10-2003, where orders were passed after hearing both sides on merits, as distinct from the consent order that was passed in W.A. No.764 of 1999 and batch, therefore, he sought for similar directions.

Heard both sides and considered the material on record.

As in similar circumstances, in W.P.No.6469 of 2001 and batch, the Division Bench of this Court has already passed an order, this writ petition is also governed by the directions issued therein. Accordingly, the writ petition is disposed of in terms of the order passed in W.P.No.6469 of 2001 and batch, dated 21-10-2003. No order as to costs.

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21-09-2004

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To

1 The Registrar,
Osmania University, Hyderabad.

2 The Assistant Registrar (Administration),
Osmania University, Hyderabad.

3 Two C.D copies